

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-7 and 9-14 are pending in the present application. Claims 13 and 14 are withdrawn. Claim 8 is canceled without prejudice or disclaimer and Claims 1 and 11-14 are amended by the present amendment. As amended Claims 1 and 11-14 are supported by the original claims, no new matter is added.

In the outstanding Office Action, Claim 1 was rejected under 35 U.S.C. §112, first paragraph; Claims 1-7, 11, and 12 were rejected under 35 U.S.C. §103(a) as unpatentable over Suzuki (U.S. Patent No. 6,256,356) in view of Flammer, III et al. (U.S. Patent No. 5,515,369, hereinafter “Flammer”) and further in view of Almgren et al. (“Adaptive Channel Allocation in TACS,” hereinafter “Almgren”) and Ozluturk (U.S. Patent No 6,754,497); Claim 9 was rejected under 35 U.S.C. §103(a) as unpatentable over Suzuki in view of Flammer, Almgren, and Ozluturk and further in view of Jamal et al. (U.S. Patent No. 6,724,813, hereinafter “Jamal”) and Pascual et al. (U.S. Patent No. 6,587,449, hereinafter “Pascual”); and Claim 10 was rejected under 35 U.S.C. §103(a) as unpatentable over Suzuki in view of Flammer, Almgren, and Ozluturk and further in view of Jamal. However, Claim 8 was objected to as dependent on a rejected base claim, but otherwise was indicated as including allowable subject matter if re-written in independent form.

Applicants gratefully acknowledge the indication that Claim 8 includes allowable subject matter.

With regard to the rejection of Claim 1 under 35 U.S.C. §112, first paragraph, Claim 1 is amended to delete “generating a pseudo-random sequence seed at the fast allocation controller.” Consequently, it is respectfully submitted that Claim 1 is in compliance with all requirements under 35 U.S.C. §112, first paragraph.

With regard to the rejection of Claims 1, 11, and 12 under 35 U.S.C. §103(a) as unpatentable over Suzuki in view of Flammer and further in view of Almgren and Ozluturk, that rejection is respectfully traversed.

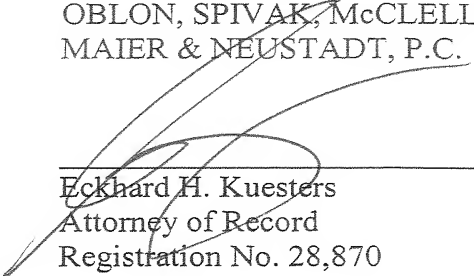
Claims 1, 11, and 12 are amended to include the subject matter of Claim 8, which was indicated as including allowable subject matter. Accordingly, it is respectfully submitted that Claims 1, 11, and 12 (and Claims 2-7, 9, and 10 dependent therefrom) are patentable over the cited references.

In addition, withdrawn Claims 13 and 14 are amended to include the subject matter of Claim 8. Accordingly, it is respectfully submitted that Claims 13 and 14 are also patentable over the cited references. Rejoinder and allowance of these claims is respectfully requested.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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